

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES R. RANKIN,

Plaintiff,

Case No. 1:21-cv-538

v.

HONORABLE PAUL L. MALONEY
COUNTY OF BERRIEN,

Defendant.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff initiated this lawsuit by filing his complaint on June 24, 2021 (ECF No. 1). Defendant filed a motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on June 13, 2022, recommending that this Court grant the motion and enter judgment. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 24) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 15) is GRANTED.

IT IS FURTHER ORDERED that for the same reasons the Court concludes that Plaintiff's claims are properly dismissed, the Court also concludes that any issue Plaintiff might raise on appeal would be frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Accordingly, the Court certifies that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: July 13, 2022

/s/ Paul L. Maloney

Paul L. Maloney

United States District Judge